

## **FIRST AMENDMENT TO CONSULTANT AGREEMENT**

**THIS FIRST AMENDMENT TO CONSULTANT AGREEMENT** ("First Amendment") is made and entered into this \_\_\_\_ day of June, 2009 (the "Effective Date") by and between the Town of Frederick, Colorado, a Colorado municipal corporation (the "Town") and Pacific Municipal Consultants, d/b/a PMC, a California corporation ("Consultant").

**WHEREAS**, on August 26, 2008, the Town engaged the services of Consultant to provide services in conjunction with the Downtown Development Study (the "Work"); and

**WHEREAS**, the Town desires the Consultant to perform additional services associated with the revising the Vision Plan portion of the Work; and

**WHEREAS**, the parties wish to memorialize this amendment to their contractual relationship.

**NOW, THEREFORE**, incorporating the foregoing Recitals herein, which are hereby acknowledged as being true and correct, and in consideration of the mutual promises, agreements, undertakings and covenants, as set forth herein and in the original Agreement, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby mutually agree as follows:

### **SECTION 1: TERM, DUTIES, COMPENSATION**

1.01 Term. Without regard to the date of this First Amendment, the term of the Agreement as amended shall run from the Effective Date of the original Agreement for a period of one (1) year unless sooner terminated as provided in the original Agreement.

1.02 Consultant's Duties. In addition to the duties of the Consultant as originally set forth, Consultant shall revise the Vision Plan portion of the Downtown Development Study, based on feedback from the community, property owner, and Town staff.

1.03 Additional Compensation. Consultant shall receive compensation for the substantial revisions to the Vision Plan in an amount not to exceed three thousand two hundred dollars (\$3,200.00), in addition to the compensation originally set forth.

### **SECTION 2: REMAINING PROVISIONS**

2.01 All other terms and conditions of the original Agreement and obligations of the parties thereto shall remain in full force and effect, as set forth in the original Agreement, dated August 26, 2008.

2.02 By signature below, the parties affirm their promises of performance in the original Agreement and acknowledge amendment of that Agreement with the required formality.

IN WITNESS WHEREOF, the parties have executed this First Amendment on the dates written below.

TOWN

CONSULTANT

Town of Frederick, Colorado

PMC

By \_\_\_\_\_  
Eric E. Doering, Mayor (Date)

By \_\_\_\_\_  
Philip O. Carter, Principal (Date)

ATTEST:

\_\_\_\_\_  
Nanette S. Fornof, Town Clerk